

EXHIBIT 1

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
Dallas Division**

**M3Girl Designs, LLC
Plaintiff,**

v.

**Purple Mountain Sweaters and
Carol-Ann Bishop,
Defendants.**

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§
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§
§
§
§

CIVIL ACTION NO. 3:09CV2334-G

**DECLARATION OF D. SCOTT HEMINGWAY IN SUPPORT OF
RESPONSE IN OPPOSITION TO MOTION TO
DISMISS AND/OR TRANSFER**

I, hereby declare, as follows:

1. The documents attached to this Exhibit 1 are true and accurate copies of webpages printed out from the Defendants' website, www.purplemountainbaby.com.

2. The website located at www.purplemountainbaby.com is an interactive website that allows customers to: (1) view images (including accused infringing works and slogans involved in this matter), (2) communicate to the Defendants at the Contact Us webpage feature or the phone number or email address listed on the webpage, (3) order product using the "Shopping Cart" feature, (4) select the manner of shipping, and (5) pay for product that is purchased using the website. *Exhibits A, B, and C attached hereto.*

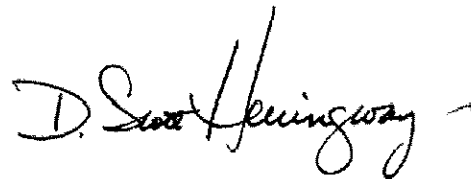
3. Exhibit A hereto is a webpage print-out from the Defendants' website that shows the Defendants' use of the infringing slogan, "Snappy Bottle Cap Necklaces!" on their website (www.purplemountainbaby.com). This website print-out was accessed and printed out by the firm of Hemingway & Hansen in Dallas, Texas on or around that October 6, 2009 date. A true and correct copy of this webpage was attached to the

correspondence to the Defendants. A complete copy of the correspondence sent to the Defendants is attached as Exhibit 5 to the Response in Opposition Brief. The Defendants omitted the attachments to this correspondence when they attached this correspondence to their Motion to Dismiss and/or Transfer.

4. Exhibit B hereto is a collection of webpage print-outs from the Defendants' website (www.purplemountainbaby.com) that shows the Defendants' product offerings, including many of the accused works in this case. This website print-out was accessed and printed out by the firm of Hemingway & Hansen in Dallas, Texas on or around that October 16, 2009 date. A true and correct copy of these webpages were attached to the October 16, 2009 correspondence to the Defendants. A complete copy of the correspondence sent to the Defendants is attached as Exhibit 6 to the Response in Opposition Brief. The Defendants omitted the attachments to this correspondence when they attached this correspondence to their Motion to Dismiss and/or Transfer.

5. Exhibit B hereto is a collection of webpage print-outs from the Defendants' website (www.purplemountainbaby.com) that shows the Defendants' product offerings, including many of the accused works in this case. This website print-out was accessed and printed out by the firm of Hemingway & Hansen in Dallas, Texas on January 28, 2010.

I hereby declare that the above statements are true and correct to the best of my knowledge and belief, under penalty of perjury.

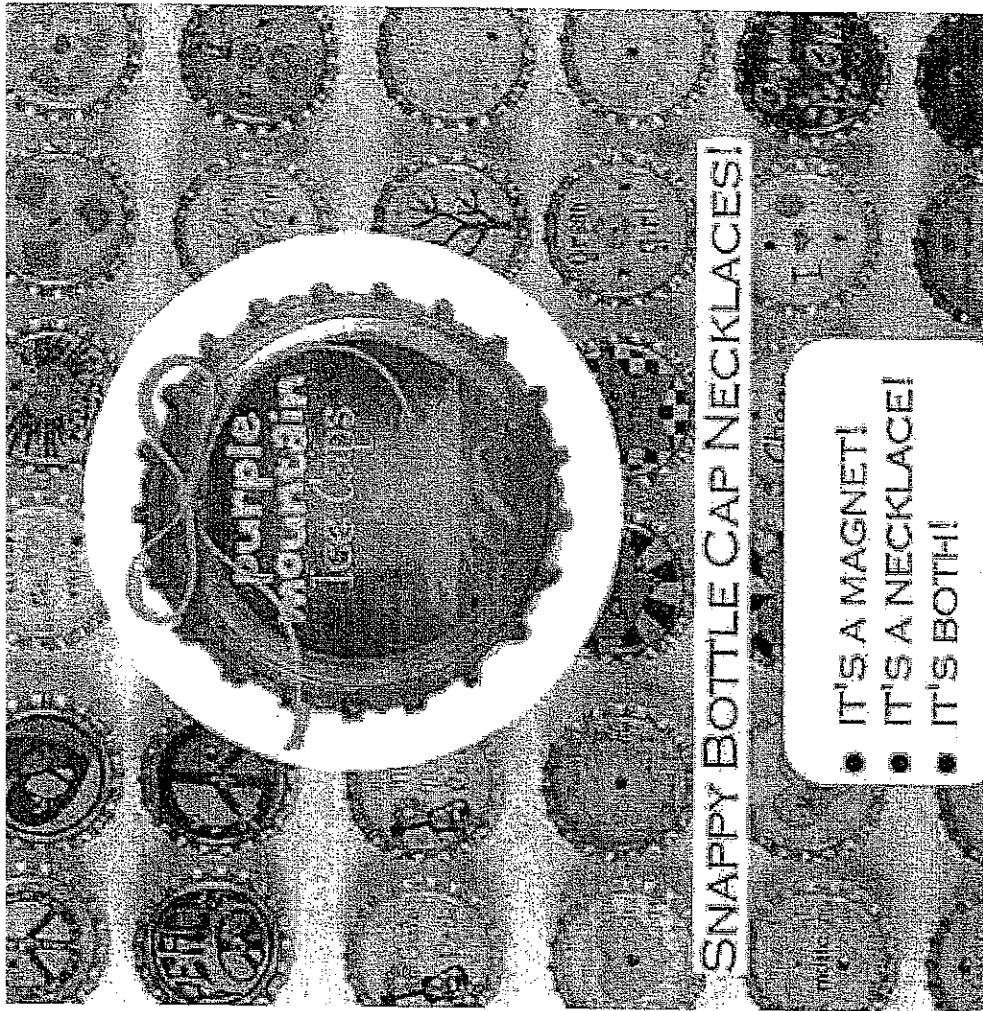
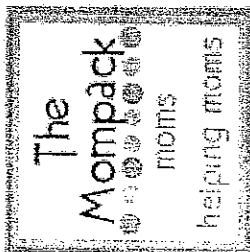
A handwritten signature in black ink, appearing to read "D. Scott Hemingway", with a stylized flourish at the end.

Jan. 28, 2010
Date

D. Scott Hemingway

EXHIBIT 1A

LINK TO US
Link Exchange Banners
Our Blog
Resources
Join Our Mailing List
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It's a magnet! It's a necklace! It's both! Collect bottle cap necklaces and express yourself in a unique way each day.

Check out all of the chokers and cords to go with our bottle cap magnets

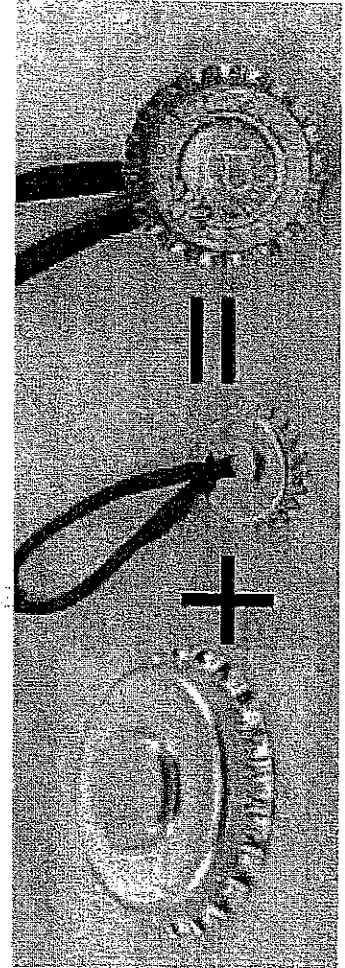
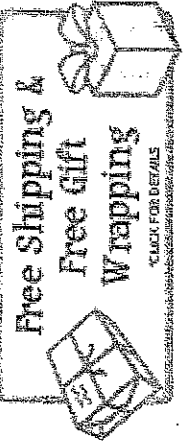
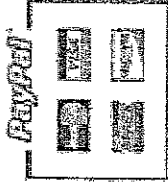


EXHIBIT 1B

Questions? Call Us Toll Free 1-800-277-5228 10am - 8pm • Email 24.7



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Soft Sole Leather Baby Shoes

Cotton Baby Knits

Handknit Sweater Sets

Baby Boy Gifts

Baby Girl Gifts

It's a Surprise Gifts

Bottle Cap Magnets

Cords & Chokers

New Items

Featured Items

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All Items

INFORMATION

Precious Memories Size Guide

Gift Registry

Web Site Links

Affiliate Sign In / Sign Up

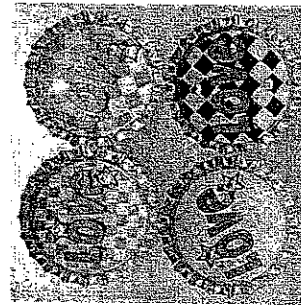
Purple Mountain Bottle Cap Magnets

Bottle Cap Magnets are made to order due to the large design selection offered. Please allow 5-7 days production time for processing. If your order is urgent send us a note to see if we can rush your order. In many cases we can accommodate these special requests.

*Not intended for babies or young children. Small objects are risk for children under 8 years old. Bottle cap magnets are a fun and useful gift for teens-adult.

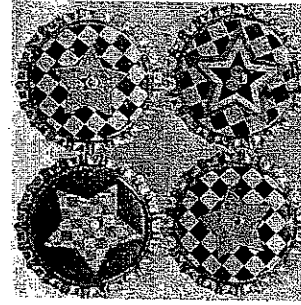
1 | 2 | 3 | 4 | 5 | 6 > >>

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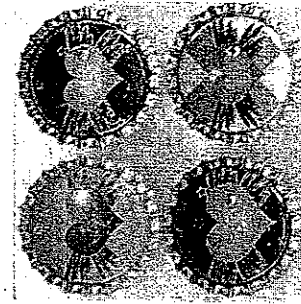
Star Me Bottle Cap Magnet Collection

\$6.50



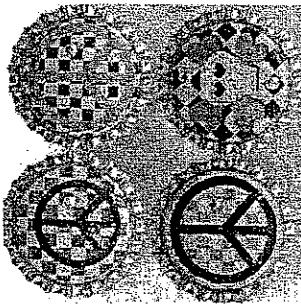
Star Me Bottle Cap Magnet Collection

\$6.50

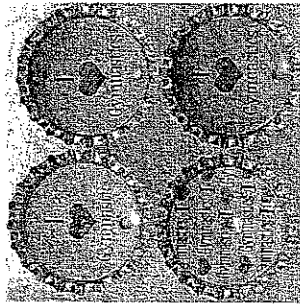


Star Me Bottle Cap Magnet Collection

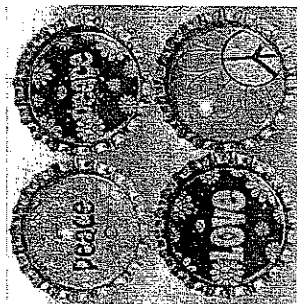
\$6.50



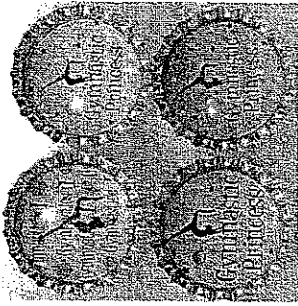
Star Me Bottle Cap Magnet Collection
4
\$6.50



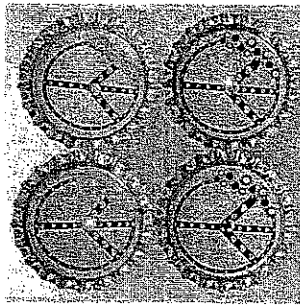
All Gymnastics Themed Bottle Cap
Magnets 3
\$6.50



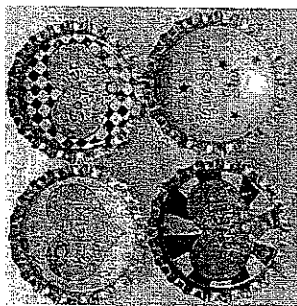
Peace Pop Bottle Cap Magnet
Collection 3
\$6.50



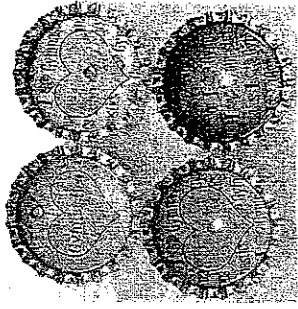
All Gymnastics Themed Bottle Cap
Magnets
\$6.50



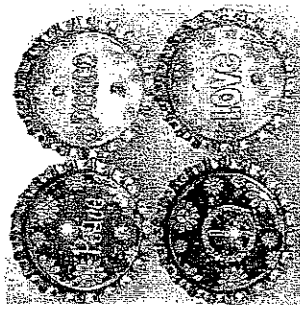
Peace Pop Bottle Cap Magnet
Collection
\$6.50



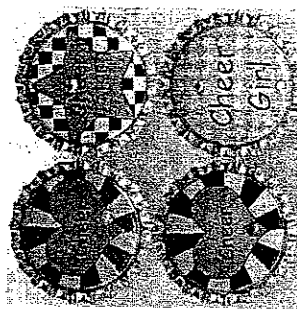
Sport Themed Bottle Cap Magnets
\$6.50



All Gymnastics Themed Bottle Cap
Magnets 2
\$6.50



Peace Pop Bottle Cap Magnet
Collection 2
\$6.50



Sport Themed Bottle Cap Magnets 2
\$6.50

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[Affiliate Terms](#)

[Link to us](#)

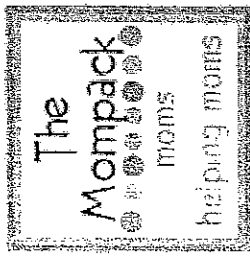
[Link Exchange Banners](#)

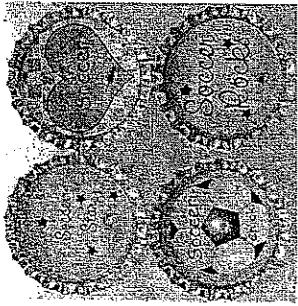
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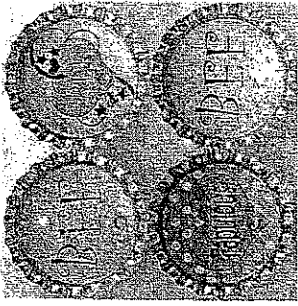
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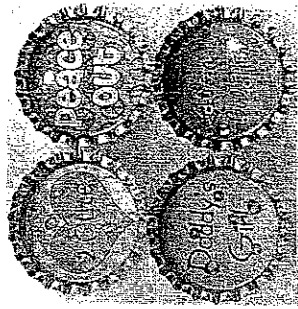




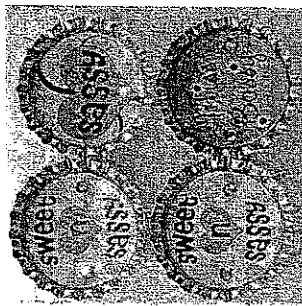
Sport Themed Bottle Cap Magnets 3
\$6.50



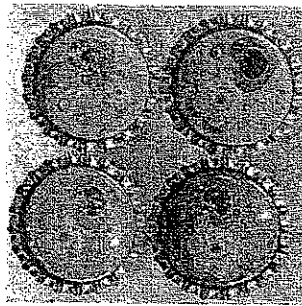
Tween Sayings Bottle Cap Magnet
Collection
\$6.50



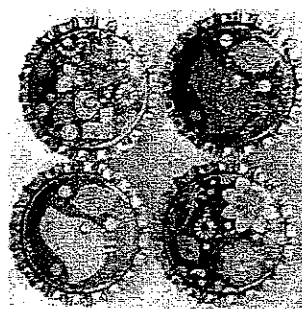
Tween Sayings Bottle Cap Magnet
Collection 2
\$6.50



Tween Sayings Bottle Cap Magnet
Collection 3
\$6.50



Funky Fun Bottle Cap Magnet
Collection
\$6.50



Funky Fun Bottle Cap Magnet
Collection 2
\$6.50

1 | 2 | 3 | 4 | 5 | 6 | > >>
Page 1 of 6

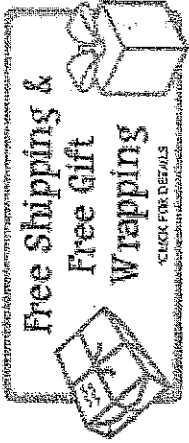
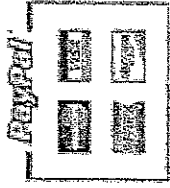
Purple Mountain Sweaters, Precious Memories Pima Cotton, and Shoo la roo Leather Soft Sole Baby Shoes are our specialty. Offering wholesale baby clothes, wholesale baby sweaters and baby shoes and retail baby and children's sweaters and clothing for over 15 years - we love to dress babies from head to toe.

Boutique Stores nationwide have been offering high quality, handmade Purple Mountain products to their customers for years. Now you can shop for Purple Mountain Baby Sweaters, luxury baby clothes, leather baby shoes, baby bouquets of baby clothes, and other unique baby gifts in the comfort of your own home.

Thanks from all of us at Purple Mountain.

©2004 - 2009 handmade baby sweaters from Purple Mountain Baby. All rights reserved.
Design by ASD

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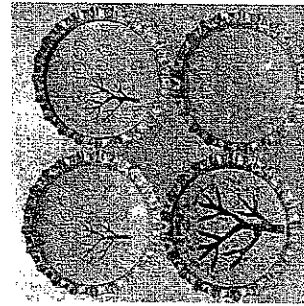
Purple Mountain Bottle Cap Magnets

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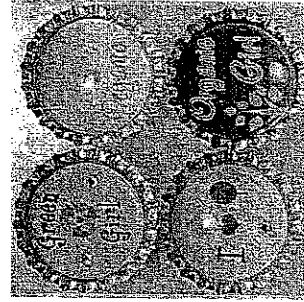
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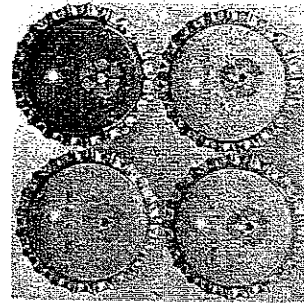
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Organic Girl Bottle Cap Magnet Collection 1
\$6.50



Organic Girl Bottle Cap Magnet Collection 2
\$6.50



Organic Girl Bottle Cap Magnet Collection 3
\$6.50

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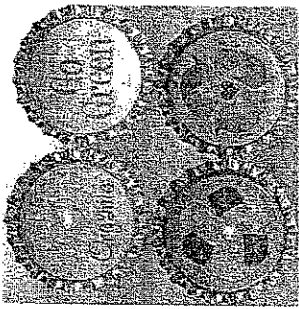
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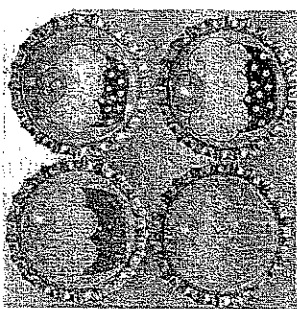
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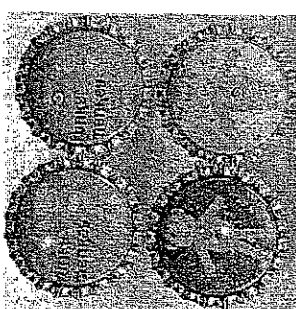
[Friend's of Purple Mountain](#)



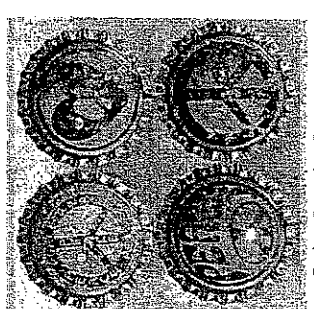
Go Green Bottle Cap Magnet Collection 2
\$6.50



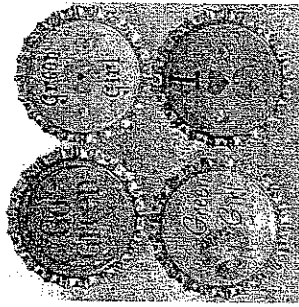
Cupcake Cutie Bottle Cap Magnets 2
\$6.50



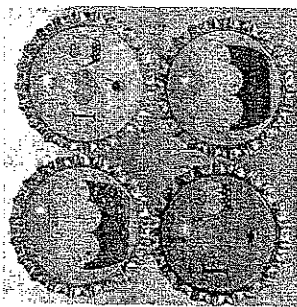
Funky Monkey Bottle Cap Magnets 2
\$6.50



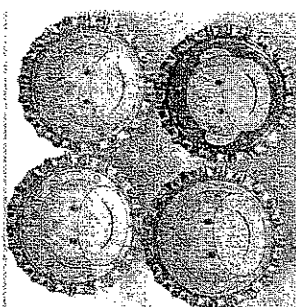
Peace Baby Bottle Cap Magnets 2



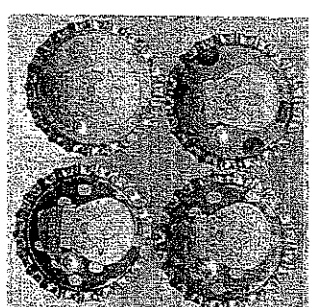
Go Green Bottle Cap Magnet Collection 2
\$6.50



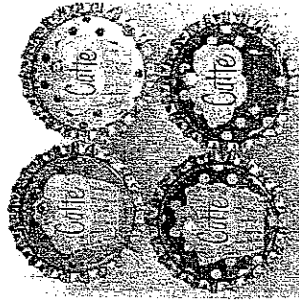
Cupcake Cutie Bottle Cap Magnets 3
\$6.50



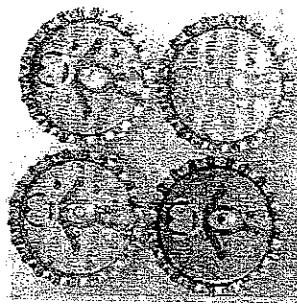
Funky Monkey Bottle Cap Magnets 3
\$6.50



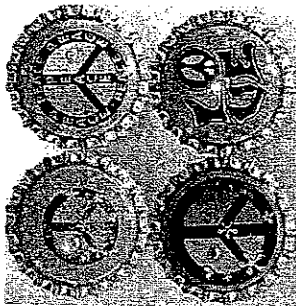
Holiday Santas Bottle Cap Magnets



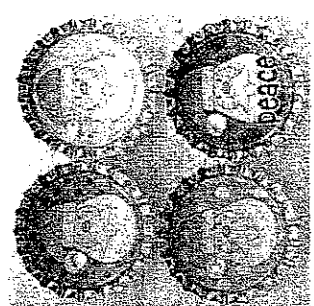
Cupcake Cutie Bottle Cap Magnets
\$6.50



Funky Monkey Bottle Cap Magnets
\$6.50

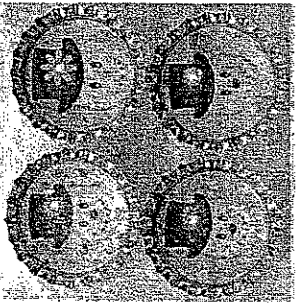


Peace Baby Bottle Cap Magnets
\$6.50



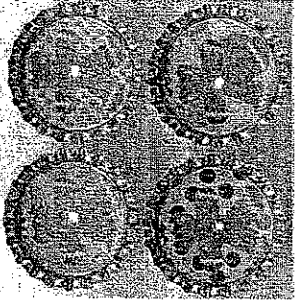
Holiday Santas Bottle Cap Magnets 2

\$6.50



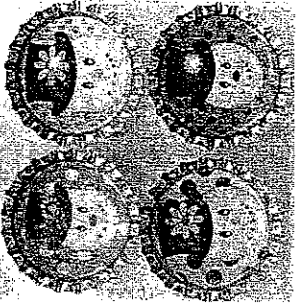
Holiday Snowman Bottle Cap Magnets
\$6.50

\$6.50



Holiday Gingerbread Man Bottle Cap
Magnets
\$6.50

\$6.50



Holiday Snowman Bottle Cap Magnets
2
\$6.50

<< < 1 | 2 | 3 | 4 | 5 | 6 > >>

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Purple Mountain Sweaters, Precious Memories Pima Cotton, and Shoo la roo Leather Soft Sole Baby Shoes are our specialty. Offering wholesale baby clothes, wholesale baby sweaters and baby shoes and retail baby and children's sweaters and clothing for over 15 years - we love to dress babies from head to toe.

Boutique Stores nationwide have been offering high quality, handmade Purple Mountain products to their customers for years. Now you can shop for Purple Mountain Baby Sweaters, luxury baby clothes, leather baby shoes, baby bouquets of baby clothes, and other unique baby gifts in the comfort of your own home.

Thanks from all of us at Purple Mountain.

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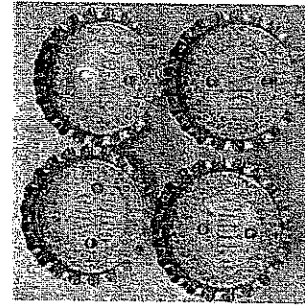
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Purple Mountain Bottle Cap Magnets

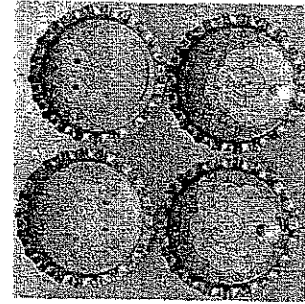
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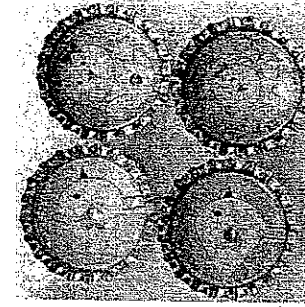
<< < 1 | 2 | 3 | 4 | 5 | 6 | > >>
Page 3 of 6



Cheetah Print Tween Saying Bottle Cap Magnets
\$6.50



Animal Crackers Bottle Cap Magnets
\$6.50



Animal Crackers Bottle Cap Magnets 2
\$6.50

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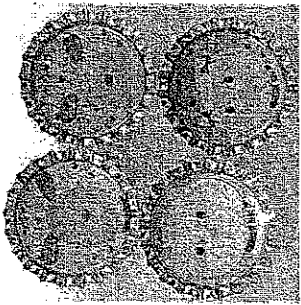
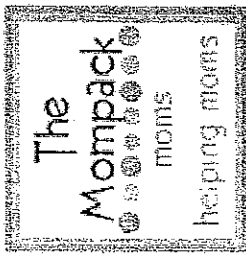
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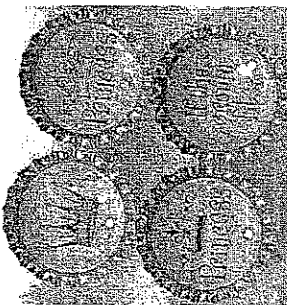
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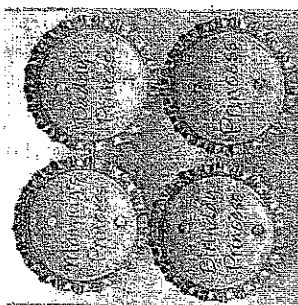
[Friend's of Purple Mountain](#)



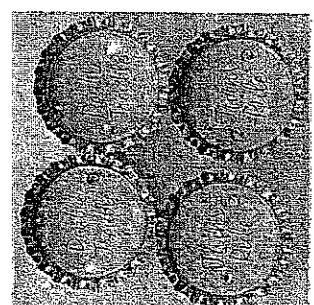
Animal Crackers Bottle Cap Magnets 3
\$6.50



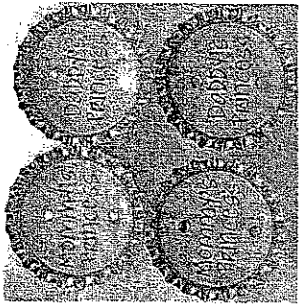
Princess on Pink Bottle Cap Magnets 2
\$6.50



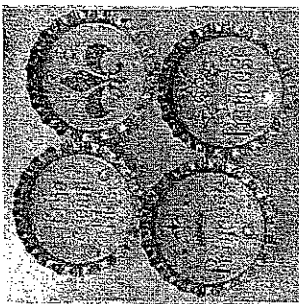
Polka Dot Sayings - Bottle Cap Magnets 2
\$6.50



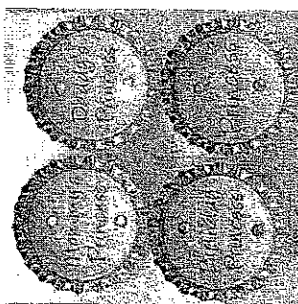
Twins Themed Bottle Cap Magnets



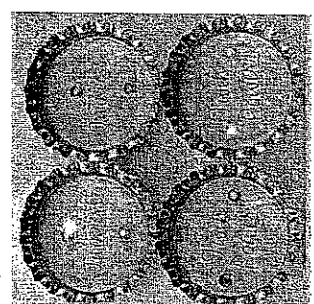
Princess on Pink Bottle Cap Magnets
\$6.50



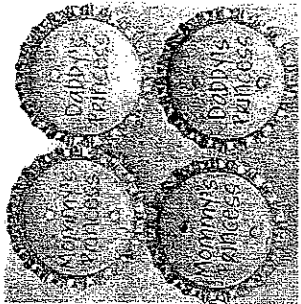
Princess on Pink Bottle Cap Magnets 3
\$6.50



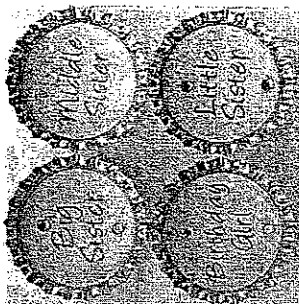
Polka Dot Sayings - Bottle Cap Magnets 2
\$6.50



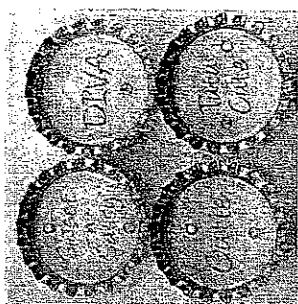
Twins Themed Bottle Cap Magnets 2



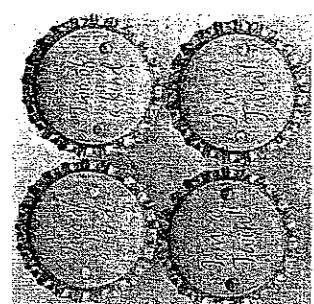
Princess on Pink Bottle Cap Magnets
\$6.50



Polka Dot Sayings - Bottle Cap Magnets
\$6.50

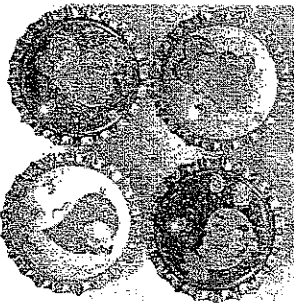


Polka Dot Sayings - Bottle Cap Magnets 3
\$6.50

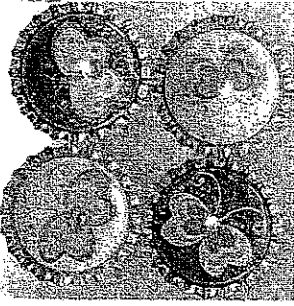


Twins Themed Bottle Cap Magnets 3

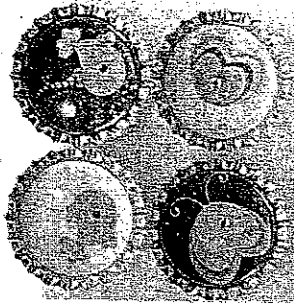
\$6.50

Too Cute Bottle Cap Magnets
\$6.50

\$6.50

Too Cute Bottle Cap Magnets 2
\$6.50

\$6.50

Too Cute Bottle Cap Magnets 3
\$6.50

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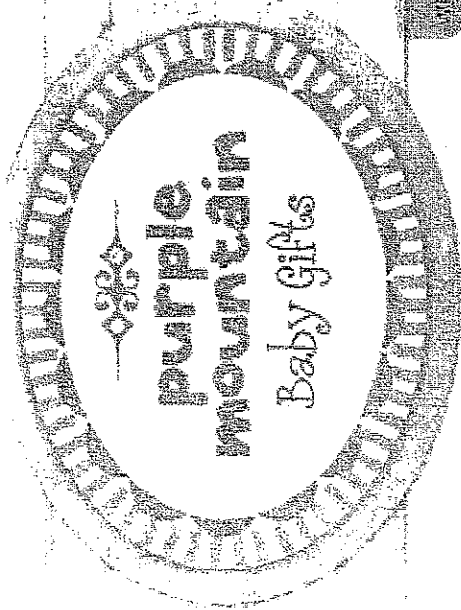
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Purple Mountain Sweaters, Precious Memories Pima Cotton, and Shoo la roo Leather Soft Sole Baby Shoes are our specialty. Offering wholesale baby clothes, wholesale baby sweaters and baby shoes and children's sweaters and clothing for over 15 years - we love to dress babies from head to toe.

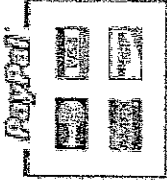
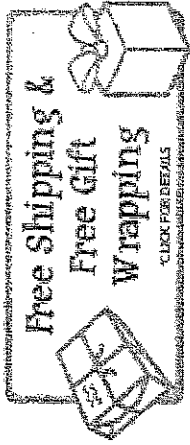
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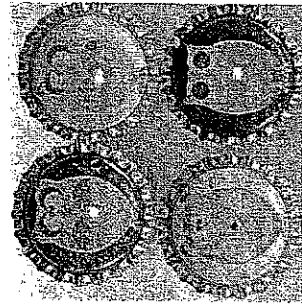
Purple Mountain Bottle Cap Magnets

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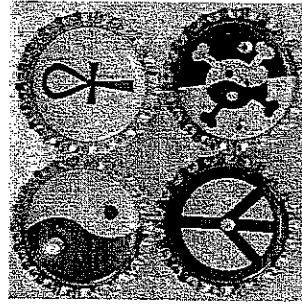
*Not intended for babies or young children. Small objects are risk for children under 8 years old. Bottle cap magnets are a fun and useful gift for teens-adult.

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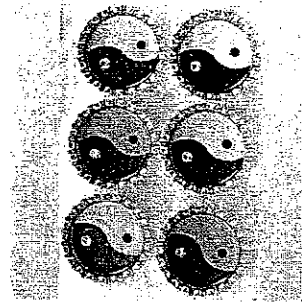
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Too Cute Bottle Cap Magnets 4
\$6.50



Black & White Bottle Cap Magnets
\$6.50



Yin Yang Bottle Cap Magnets
\$6.50

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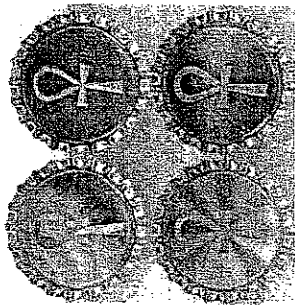
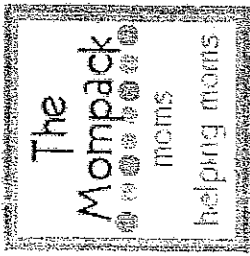
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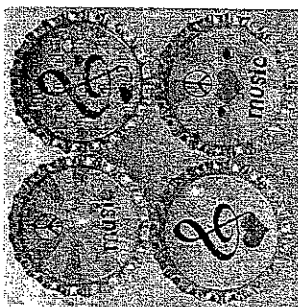
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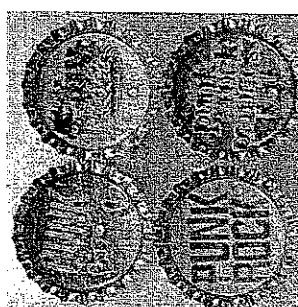
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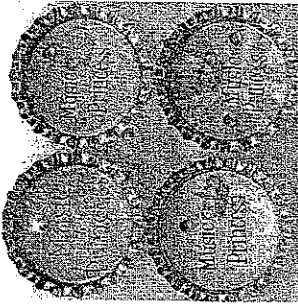
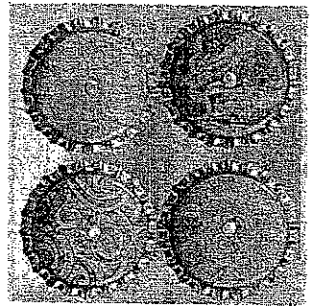
Crosses Bottle Cap Magnets
\$6.50



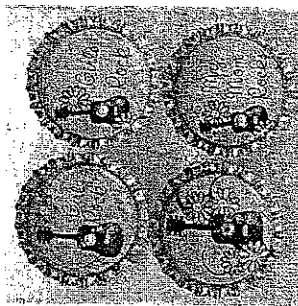
All Music Themed Bottle Cap Magnets3
\$6.50



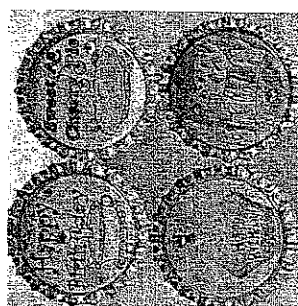
Punk Theme Bottle Cap Magnets 2
\$6.50



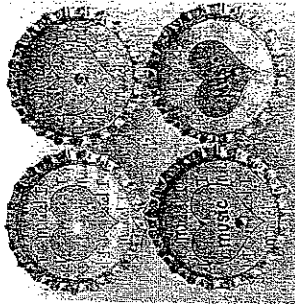
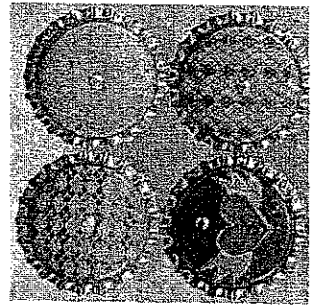
All Music Themed Bottle Cap Magnets
2
\$6.50



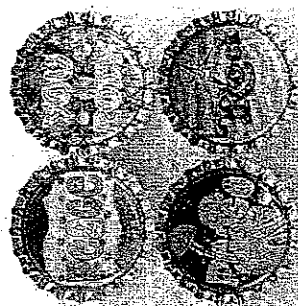
All Music Themed Bottle Cap Magnets
4
\$6.50



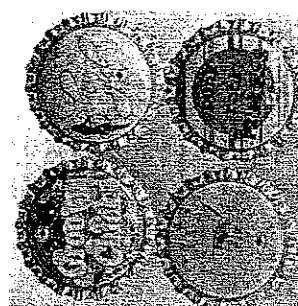
Punk Theme Bottle Cap Magnets 3
\$6.50



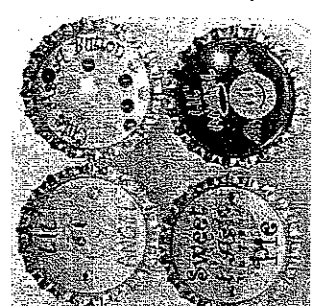
All Music Themed Bottle Cap Magnets
\$6.50 - \$16.48



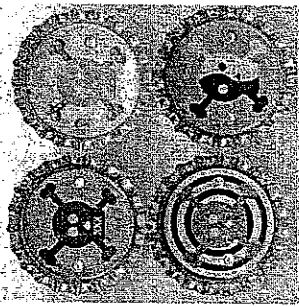
Punk Theme Bottle Cap Magnets
\$6.50



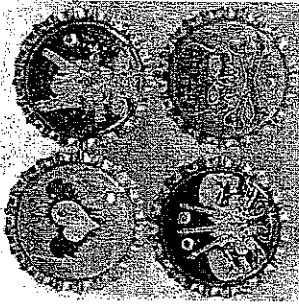
Punk Theme Bottle Cap Magnets 4
\$6.50



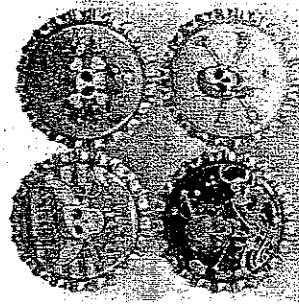
Punk Theme Bottle Cap Magnets 5 \$6.50
 Punk Theme Bottle Cap Magnets 6 \$6.50
 Punk Theme - Lil Angel Bottle Cap Magnets \$6.50



Skulls Theme Bottle Cap Magnets \$6.50



Skulls Theme Bottle Cap Magnets 2 \$6.50



Skulls Theme Bottle Cap Magnets 3 \$6.50

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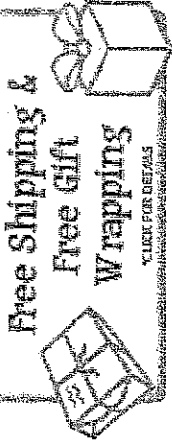
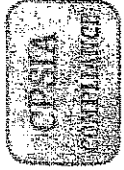
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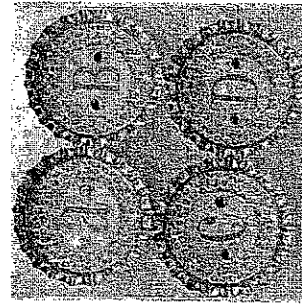
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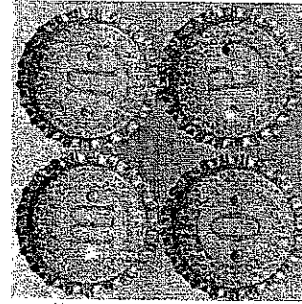
*Not intended for babies or young children. Small objects are risk for children under 8 years old. Bottle cap magnets are a fun and useful gift for teens-adult.

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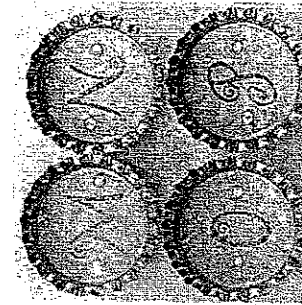
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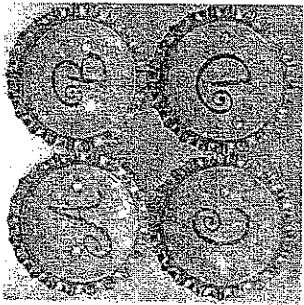
Pink Cheetah Initials - A-L - Bottle Cap Magnets \$6.50



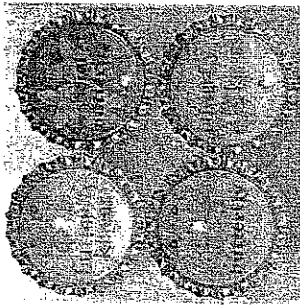
Pink Cheetah Initials - M-Z - Bottle Cap Magnets \$6.50



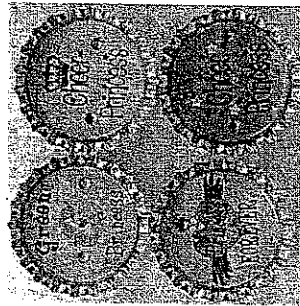
Swiss Dot Pink Letter Initials M-Z Bottle Cap Magnets \$6.50



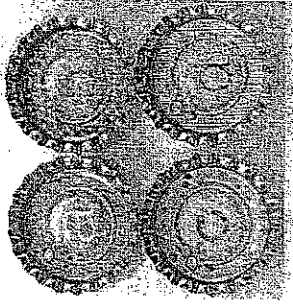
Swiss Dot Pink Letter Initials A-L
Bottle Cap Magnets
\$6.50



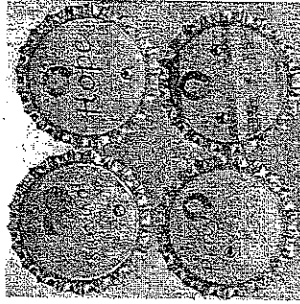
Butterfly Kisses Bottle Cap Magnets
\$6.50



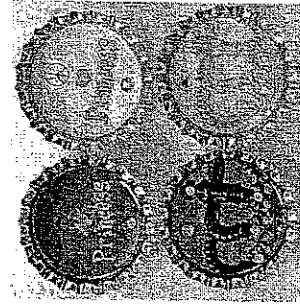
All Princess Themed Bottle Cap
Magnets
\$6.50



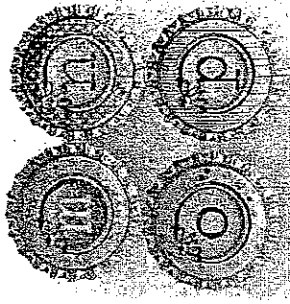
Typewriter Floral Letter A-L Bottle
Cap Magnets
\$6.50



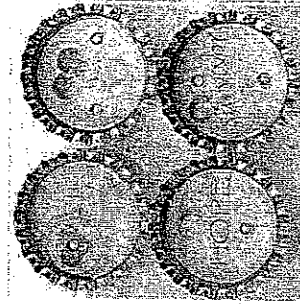
Breast Cancer Awareness Magnets
\$6.50



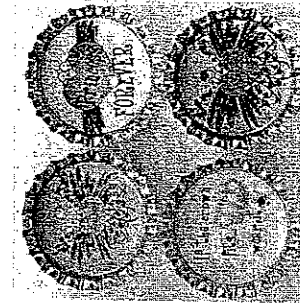
All Princess Themed Bottle Cap
Magnets 2
\$6.50



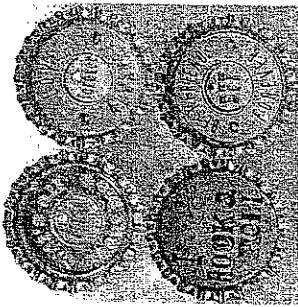
Typewriter Floral Letter M-Z Bottle
Cap Magnets
\$6.50



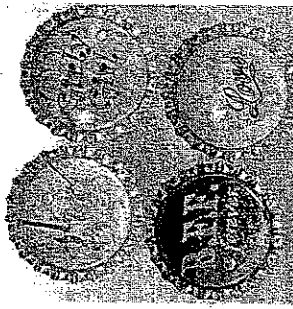
Breast Cancer Awareness Magnets 2 -
pearlized
\$6.50 - \$24.50



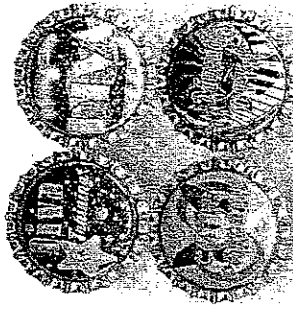
All Princess Themed Bottle Cap
Magnets 3
\$6.50



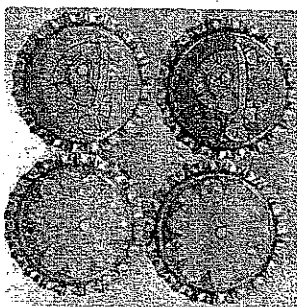
Rock on Bottle Cap Magnets
\$6.50



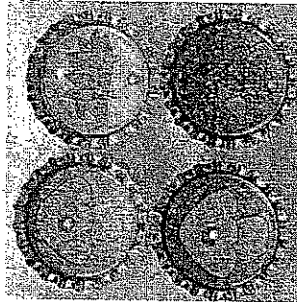
Rock on Bottle Cap Magnets 2
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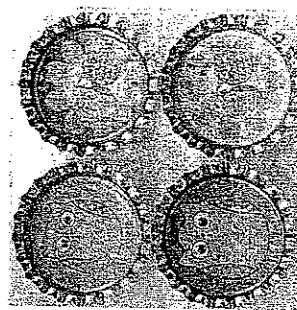
Rock on Bottle Cap Magnets 3
\$6.50



Hoot Owl & Friend Bottle Cap Magnet
Collection
\$6.50



Hoot Owl & Friend Bottle Cap Magnet
Collection 2
\$6.50



Hoot Owl & Friend Bottle Cap Magnet
Collection 3
\$6.50

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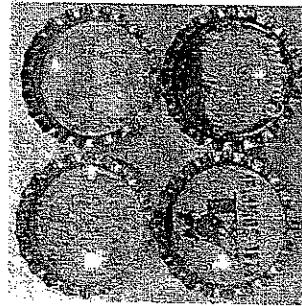
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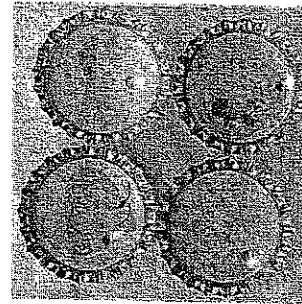
*Not intended for babies or young children. Small objects are risk for children under 8 years old. Bottle cap magnets are a fun and useful gift for teens-adult.

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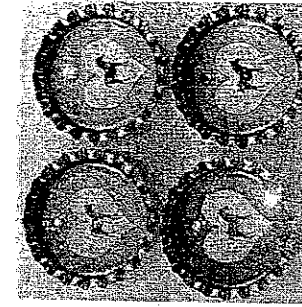
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Cowgirl Up Bottle Cap Magnet Collection
\$6.50



Cowgirl Up Bottle Cap Magnet Collection 2
\$6.50



I Love Horses Bottle Cap Magnet Collection
\$6.50

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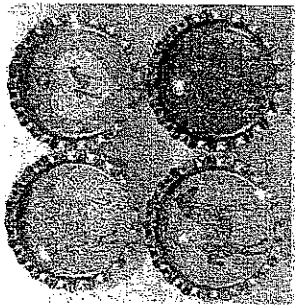
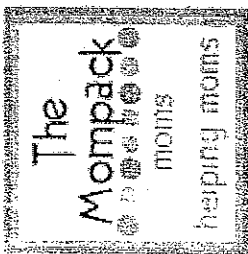
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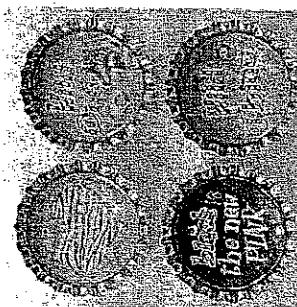
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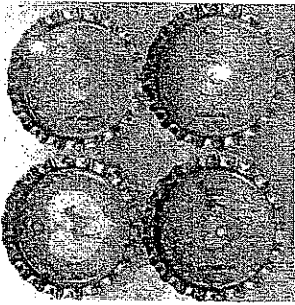
[Friend's of Purple Mountain](#)



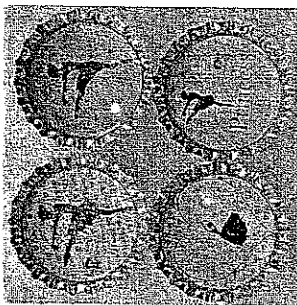
I Love Horses Bottle Cap Magnet
Collection 2
\$6.50



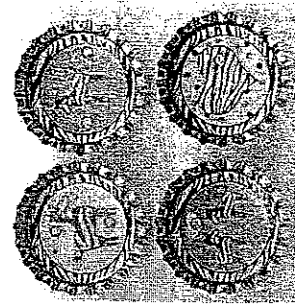
Wild One Zebra Themed Bottle Cap
Magnet Collection 2
\$6.50



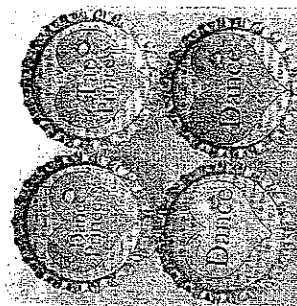
I Love Horses Bottle Cap Magnet
Collection 3
\$6.50



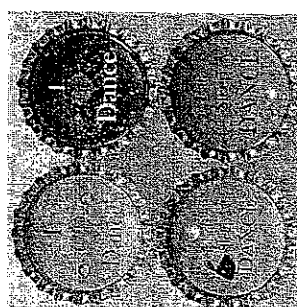
All Dance Themed Bottle Cap Magnets
\$6.50



Wild One Zebra Themed Bottle Cap
Magnet Collection
\$6.50



All Dance Themed Bottle CapMagnets
2
\$6.50



All Dance Themed Bottle Cap Magnets
3
\$6.50

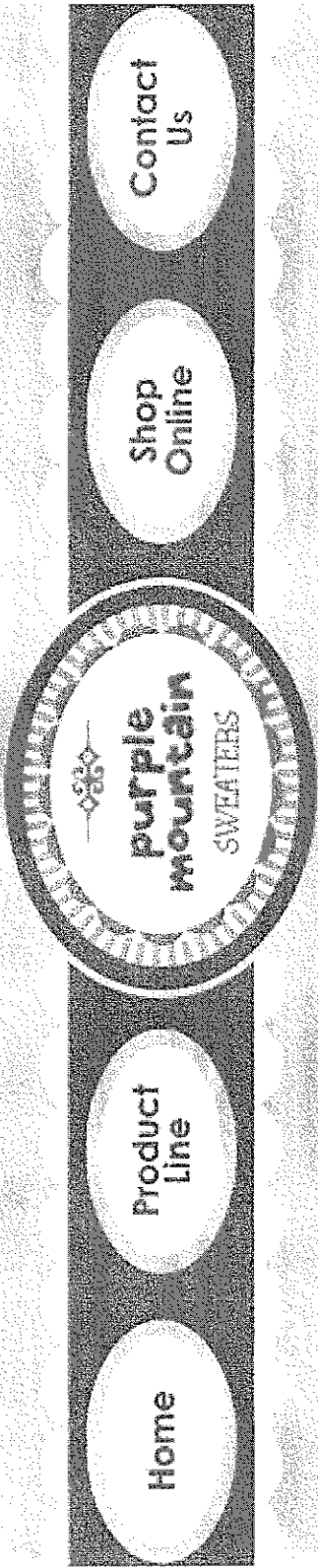
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EXHIBIT 1C



Welcome to Purple Mountain!



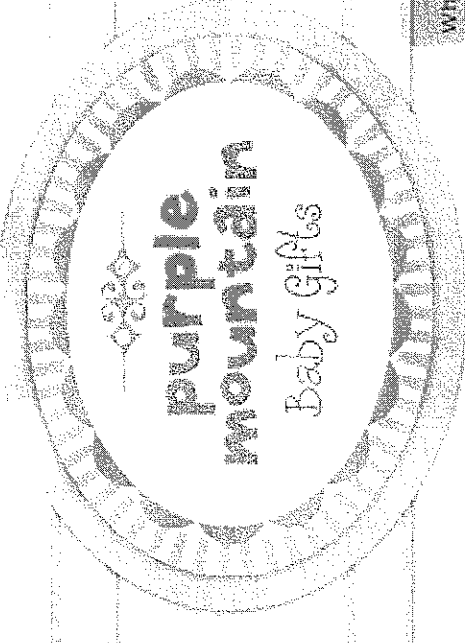
We are a manufacturer of fine quality **baby knits**, **hand knit sweater sets**, **pima cotton baby gift sets**, **leather soft sole baby shoes**, unique **baby blankets**, unique **back zip hooded baby sweaters**, pima cotton footies, unique baby converters, baby outfits, baby dresses, sizes **preemie** and up. We supply specialty children's boutiques and mail order catalogs with unique baby gift items of luxury and classic style at reasonable prices.

Many of you have asked us to "please open a retail store online" and we did. **Please visit us at Purple Mountain Baby for all of your baby shower and baby gift needs.**

Please fill out the **Contact Us** form if you are interested in **wholesale baby boutique clothing** or **wholesale baby shoes**. If you would like help finding a retailer in your area you can use the **contact form**. We personally answer your questions daily.

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Soft Sole Leather Baby Shoes

Cotton Baby Knits

Handknit Sweater Sets

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It's a Surprise Gifts

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Web Site Links

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Affiliate Terms

Purple Mountain Bottle Cap Magnets

Bottle Cap Magnets are made to order due to the large design selection offered. Please allow 3-4 days production time for processing. If your order is urgent send us a note to see if we can rush your order. In many cases we can accommodate these special requests.

*Not intended for babies or young children. Small objects are risk for children under 8 years old. Bottle cap magnets are a fun and useful gift for teens-adult.

Sorry, but there are no products matching this criteria. Please try again.

Keyword(s):

☒ All Words ☐ Any Word ☐ Exact Phrase
Category: Price Range: Search

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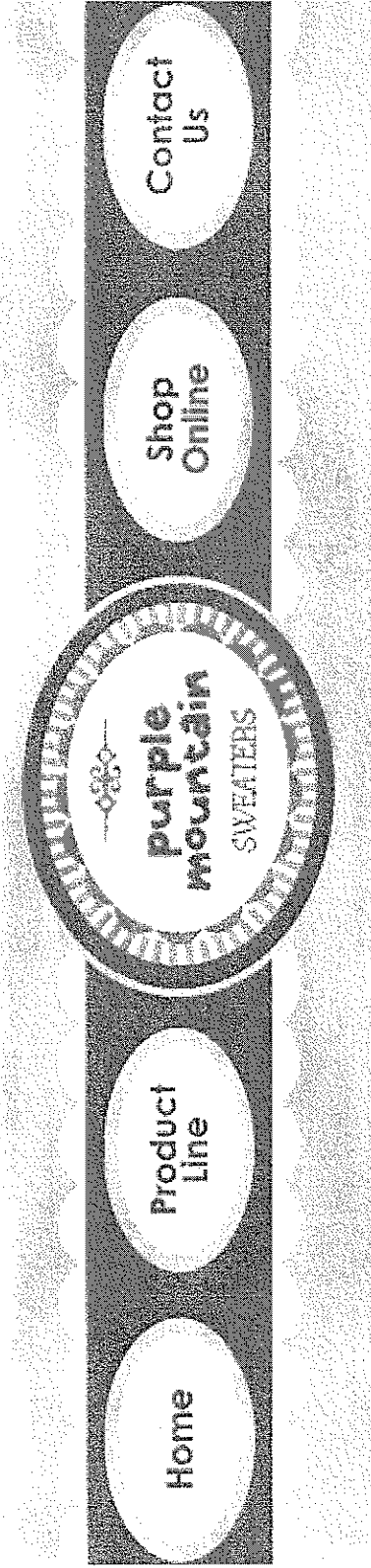


Purple Mountain Sweaters, Precious Memories Pima Cotton, and Shoo la roo Leather Soft Sole Baby Shoes are our specialty. Offering wholesale baby clothes, wholesale baby sweaters and baby shoes and retail baby and children's sweaters and clothing for over 15 years - we love to dress babies from head to toe.

Boutique Stores nationwide have been offering high quality, handmade Purple Mountain products to their customers for years. Now you can shop for Purple Mountain Baby Sweaters, luxury baby clothes, leather baby shoes, baby bouquets of baby clothes, and other unique baby gifts in the comfort of your own home.

Thanks from all of us at Purple Mountain.

©2004 - 2010 handmade baby sweaters from Purple Mountain Baby. All rights reserved.
Design by ASD

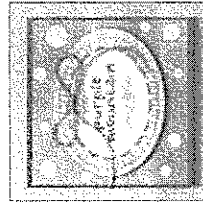


Product Line > Information

To browse through our products, click on the category from our list to view all items in that category. You may also use our search tool to find a product with one or more keywords.



Handmade Cotton Baby Knits



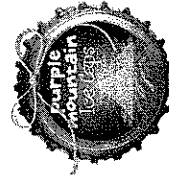
Hand Knitted Sweaters



Leather Baby Shoes



Luxury Pima Cotton Layette Gift Sets

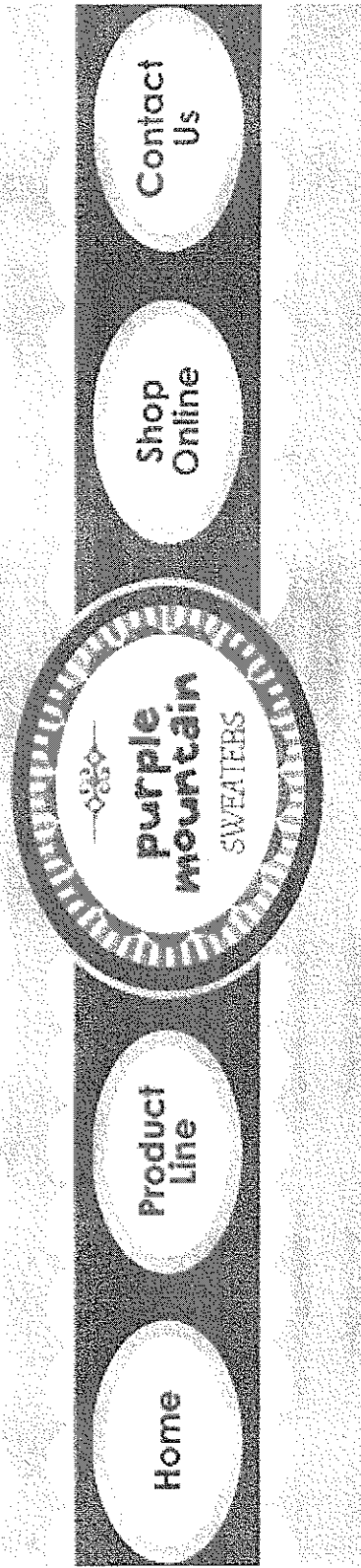


Bottle Cap Magnets

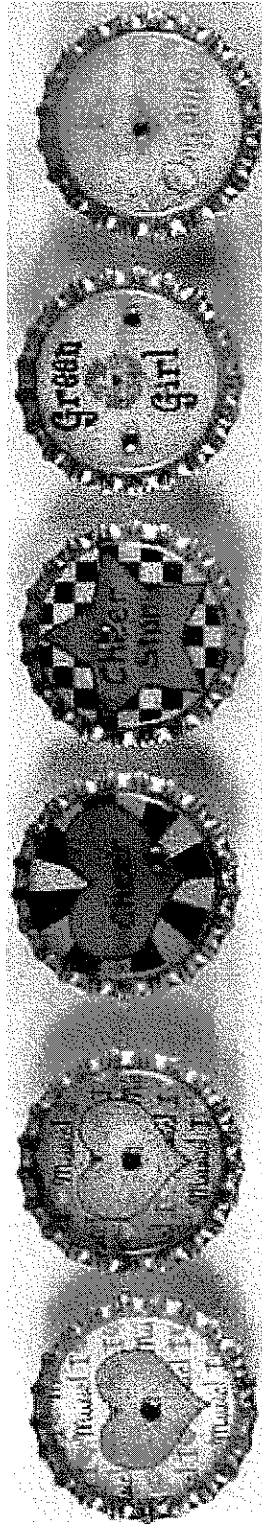
Keyword(s):

☒ All Words ☐ Any Word ☐ Exact Phrase

Category: All Categories



Product Line > Bottle Cap Magnets



Orders ship within 2-3 business days!
 Please send me wholesale order forms for
 Purple Mountain Ice Caps and Accessories.
Scroll down to see catalog of photos.

Name

Email

Store Name

Store Address

Order forms will

arrive within moments (in an email) to the email address provided.

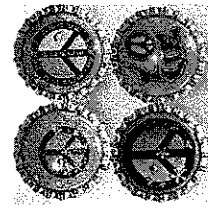
If you have any trouble downloading the order forms please call us during
 normal business hours and we can fax them over to you. (1-800-277-5228)

Wholesale ordering is available to resellers only. A tax id or resale
 certificate is required.

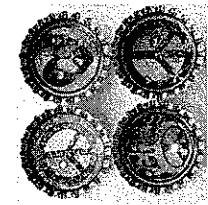
Minimum order - only \$100

Click on photos below to see details.

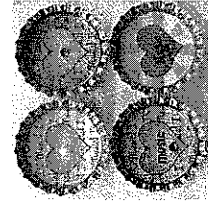
Unless otherwise stated, graphics used for magnets have been purchased with a license for small commercial business. PM does not
 claim to hold the copyrights to any of the graphics. Graphics are purchased with the belief that the images are not infringing upon
 any copyrights. Any request for removal of designs by rightful copyright holders should include the place and date of original
 publication, so that it can determine the validity of the request. PM would never knowingly infringe on any intellectual property.



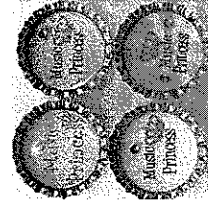
**1 A - PEACE BABY
Bottle Cap Magnet**



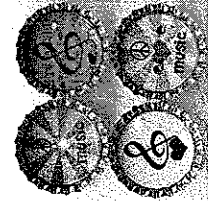
**1 B - PEACE BABY
Bottle Cap Magnet**



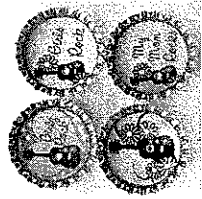
**2A - ALL MUSIC Bottle
Cap Magnets**



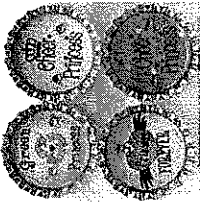
**2B ALL MUSIC Bottle
Cap Magnets**



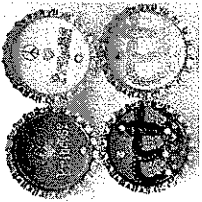
**2C - ALL MUSIC Bottle
Cap Magnets**



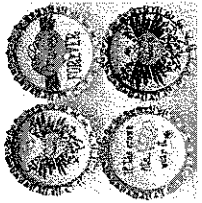
2D ALL MUSIC Bottle
Cap Magnets



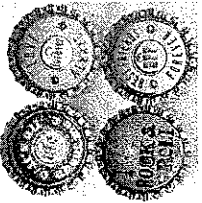
3A - ALL PRINCESS



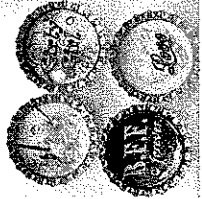
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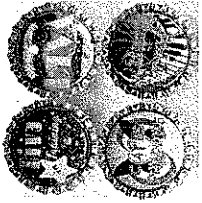
3C - ALL PRINCESS



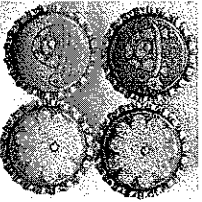
4A ROCK ON



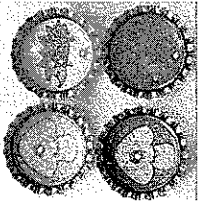
4B ROCK ON



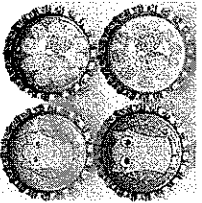
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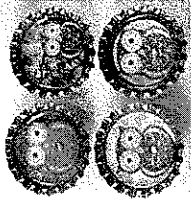
5A HOOTS & FRIENDS



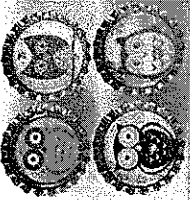
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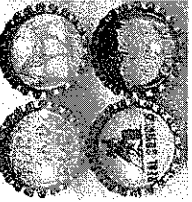
5C HOOTS & FRIENDS



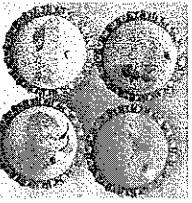
5D New Hoots Bottle
Cap Necklace Magnets



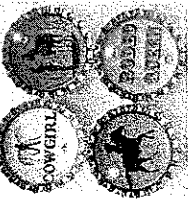
5E New Hoots Bottle
Cap Necklace Magnets



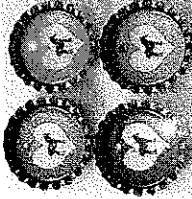
6A COWGIRL UP



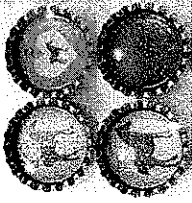
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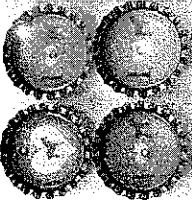
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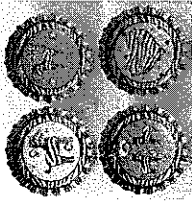
7A I LOVE HORSES



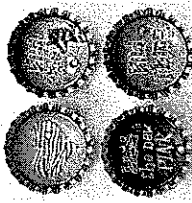
7B I LOVE HORSES



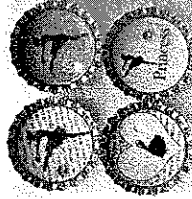
7C I LOVE HORSES



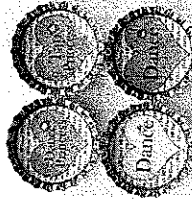
8A WILD ONE ZEBRA



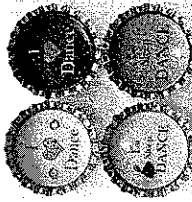
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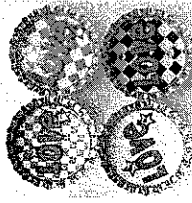
9A ALL DANCE



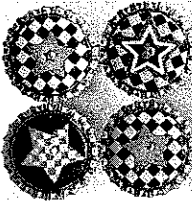
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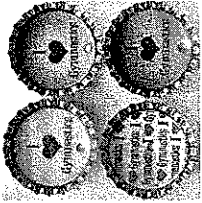
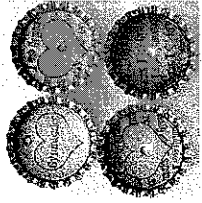
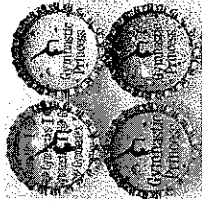
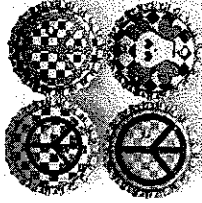
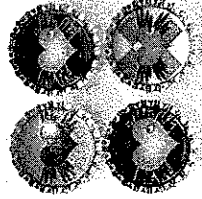
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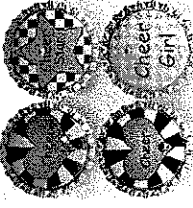
10A STAR ME



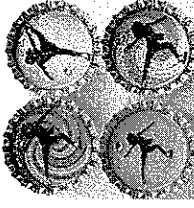
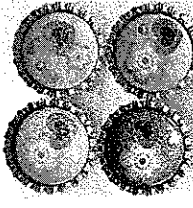
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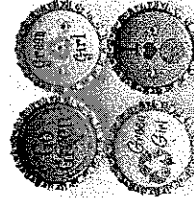
11A ALL GYMNASTICS 11B ALL GYMNASTICS 11C ALL GYMNASTICS



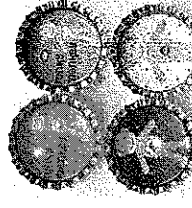
13B SPORTS

13I Ice Skaters
Rainbow Swirls Bottle
Cap Necklace Magnets

15A FUNKY FUN

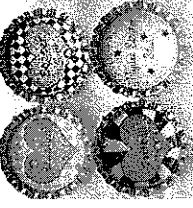


17B GO GREEN

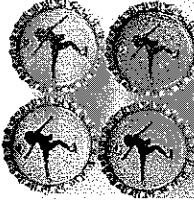
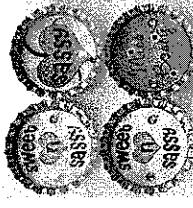


19B FUNKY MONKEY

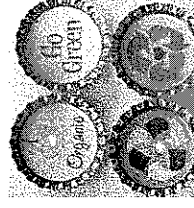
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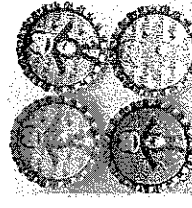
13A SPORTS

13H Ice Skaters on
Pastel Bottle Cap
Magnets

14C TWEEN SAYINGS

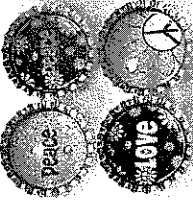


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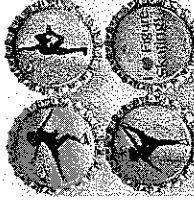
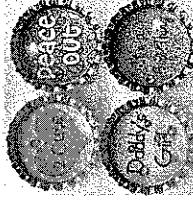


19A FUNKY MONKEY

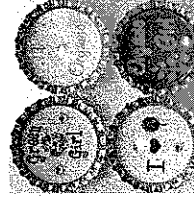
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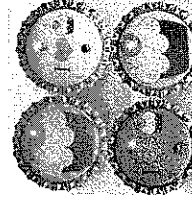
12C PEACE POP

13E Ice Skaters
Rainbow Pastel Bottle
Cap Magnets

14B TWEEN SAYINGS

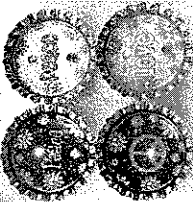


16B ORGANIC GIRL

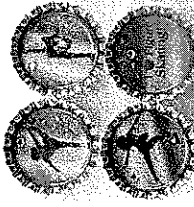
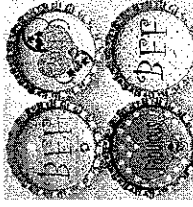


18C CUPCAKE CUTIE

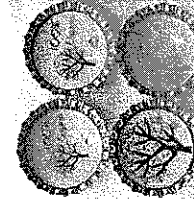
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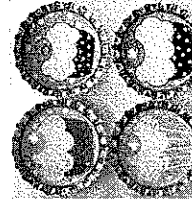
12B PEACE POP

13D Ice Skaters
Rainbow Bottle Cap
Magnets

14A TWEEN SAYINGS

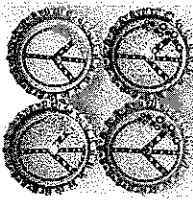


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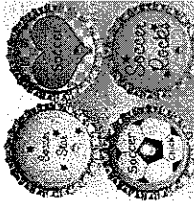


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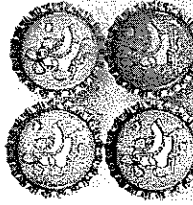
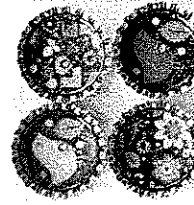
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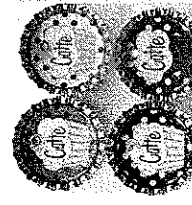
12A PEACE POP



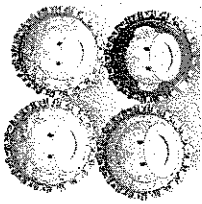
13C SPORTS

13J Ice Skates Bottle
Cap Magnets

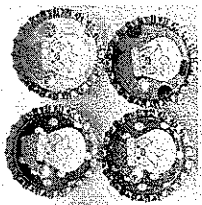
15B FUNKY FUN



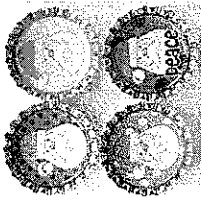
18A CUPCAKE CUTIE



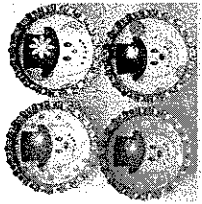
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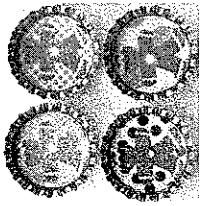
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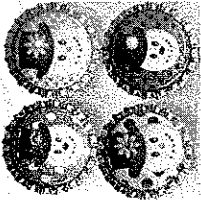
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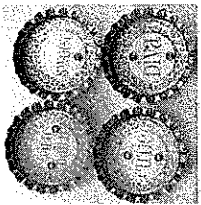
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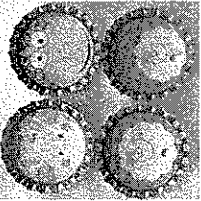
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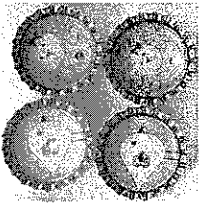
20E HOLIDAY



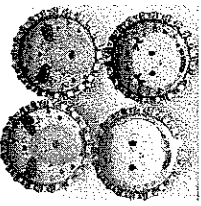
21A CHEETAH SAYINGS



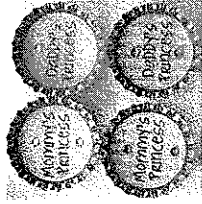
22A ANIMAL CRACKERS



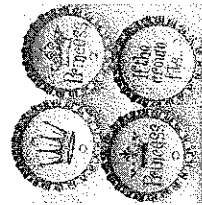
22B ANIMAL CRACKERS



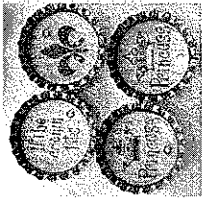
22C ANIMAL CRACKERS



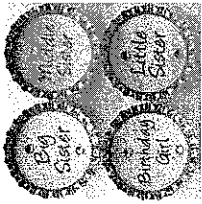
23A PRINCESS ON PINK



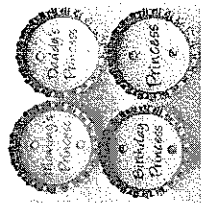
23B PRINCESS ON PINK



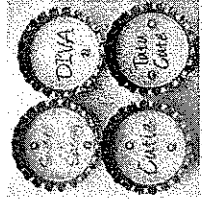
23C PRINCESS ON PINK



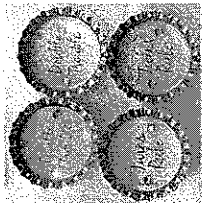
24A POLKA DOT SAYINGS



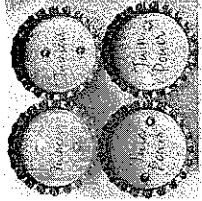
24B POLKA DOT SAYINGS



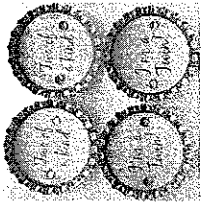
24C POLKA DOT SAYINGS



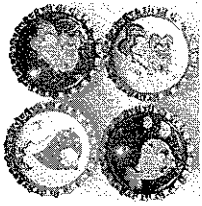
25A TWINS



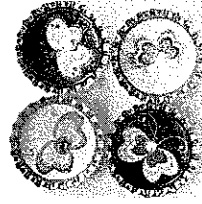
25B TWINS



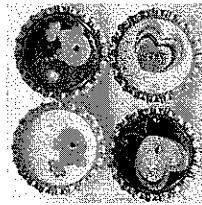
25C TWINS



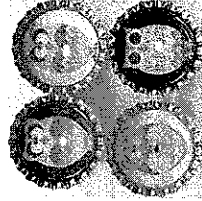
26A TOO CUTE



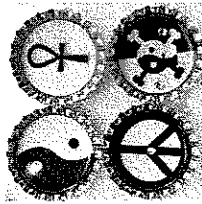
26B TOO CUTE



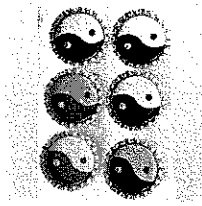
26C TOO CUTE



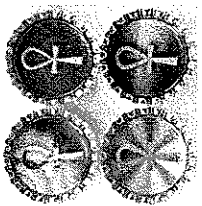
26D TOO CUTE



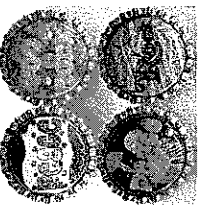
27A BLACK & WHITE



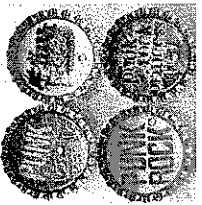
28A YIN YANG



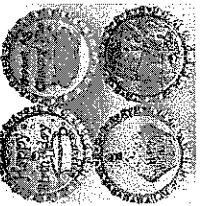
29A CROSSES



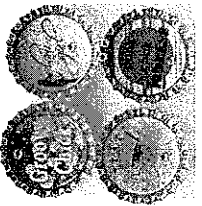
30D PUNK



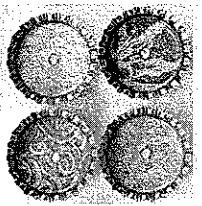
30E PUNK



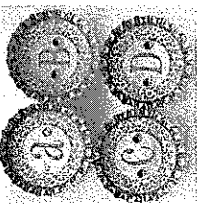
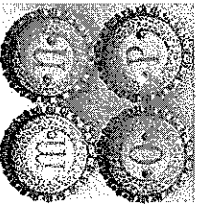
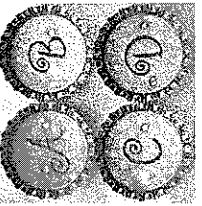
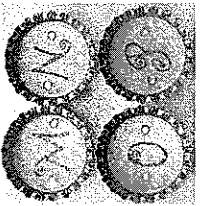
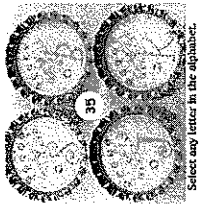
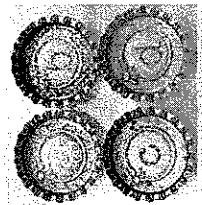
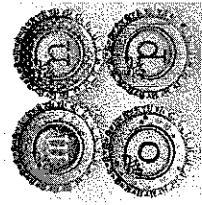
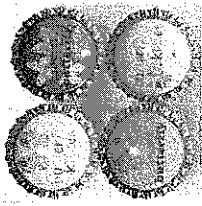
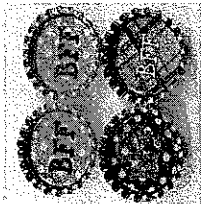
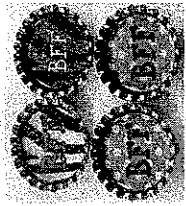
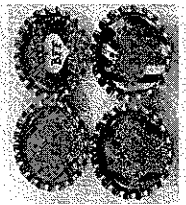
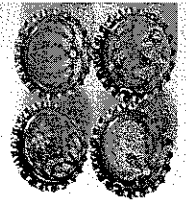
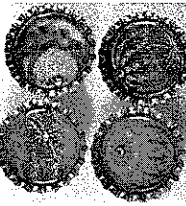
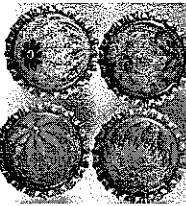
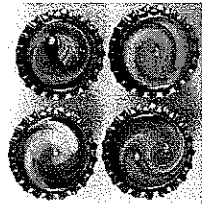
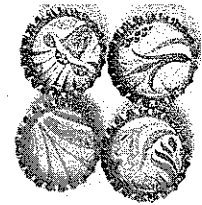
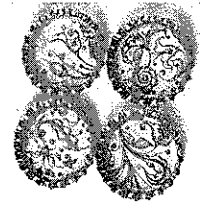
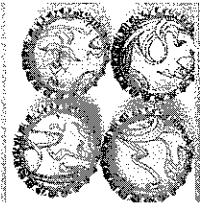
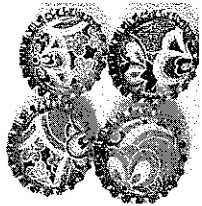
30F PUNK

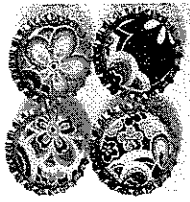


30G PUNK

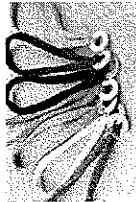


30H PUNK

33A CHEETAH
INITIALS A-L33D CHEETAH
INITIALS M-Z34A SWISS DOT
INITIALS A-L34D SWISS DOT
INITIALS M-Z35 PRINCESS CROWN
INITIALS A-Z36A TYPEWRITER
FLORAL INITIALS A-Z36D TYPEWRITER
FLORAL INITIALS A-Z38A BUTTERFLY
KISSES40A BFF Bottle Cap
Magnets40B BFF Bottle Cap
Magnets40C BFF Bottle Cap
Magnets41A Fireworks Marble
Collection Bottle Cap
Magnets41B Fireworks Marble
Collection Bottle Cap
Magnets41C Fireworks Marble
Collection Bottle Cap
Magnets41D Swirl Marble
Collection Bottle Cap
Magnets42A Touch of Class -
Tapestry Collection
Bottle Cap Magnets42B Touch of Class -
Tapestry Collection
Bottle Cap Magnets42C Touch of Class -
Tapestry Collection
Bottle Cap Magnets42D Touch of Class -
Tapestry Collection
Bottle Cap Magnets



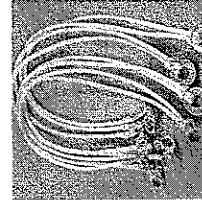
42E Touch of Class -
Tapestry Collection
Bottle Cap Magnets



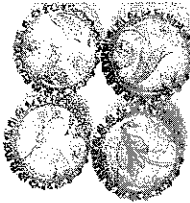
C1 Colors Lime (not
shown), Turquoise,
Royal Blue, Purple, Lt
Blue Elastic Cords



C2 Dark Rainbow
Satin Cord with Zen
Disc



C2 Rainbow Sherbet
Pastel Satin Cords
with Zen Disc



42F Touch of Class -
Tapestry Collection
Bottle Cap Magnets



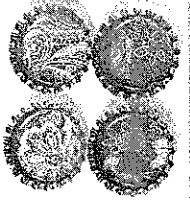
C1 Elastic Cord - Black



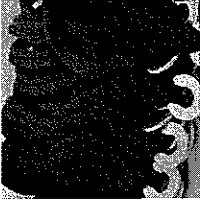
C2-A Satin Cords -
Value Pack



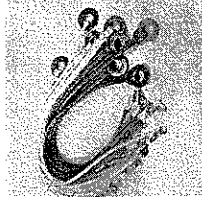
C2-Turquoise or Navy
Satin Cord with Zen
Disc



42G Touch of Class -
Tapestry Collection
Bottle Cap Magnets



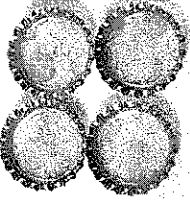
C1 Elastic Cord -
Brown



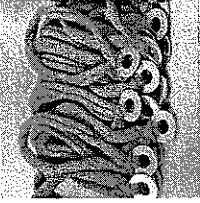
C2 Light Pink or Hot
Pink Satin Cords with
Zen Disc



C2 Red or Black Satin
Cords with Zen Disc



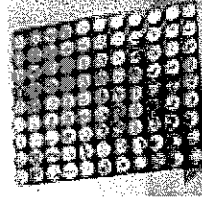
42H Touch of Class -
Tapestry Collection
Bottle Cap Magnets



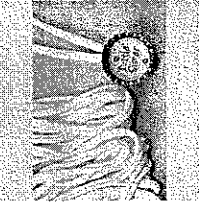
C1 Elastic Cord - Hot
Pink



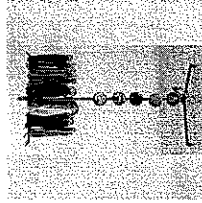
C2 Pink or Brown
Satin Cords with Zen
Disc



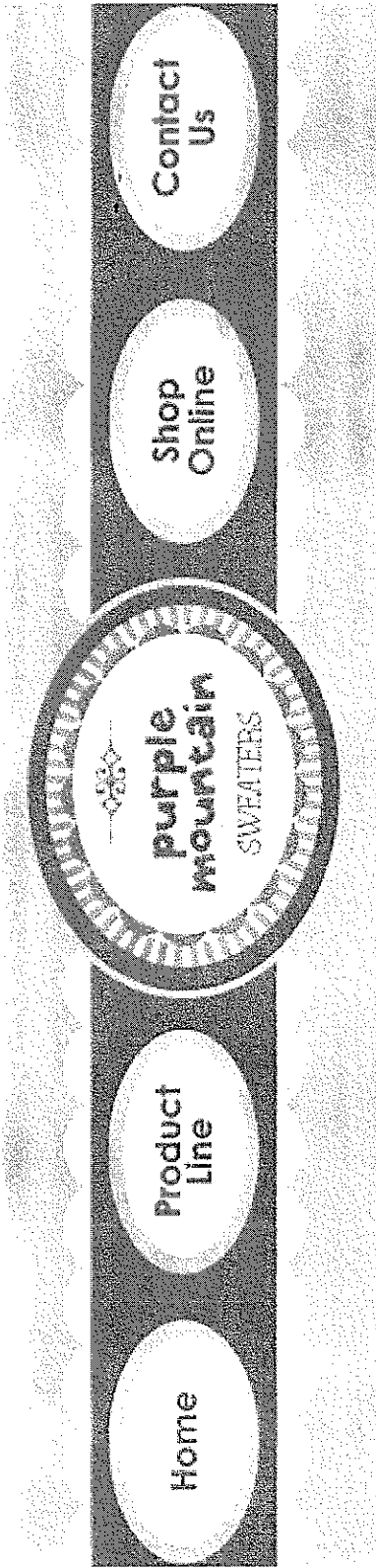
C2 Purple or
Turquoise Satin Cords
with Zen Disc



C1 Elastic Cord - Light
Pink



Spinner Rack - Free
with 8 dozen



We can be reached by Fax at 1-800-639-6198.

Business Hours are 10:00 am-5:00 pm EST - We can be reached by Phone at 1-800-277-5228. Message Service is available.

For quickest results, please fill in the form and we will be in contact with you promptly and personally. We answer emails in the evening and throughout the day.

Thank you for your interest in **Purple Mountain Cotton Baby Knits, Purple Mountain Handknit Sweaters, Mittens, and Hats, Precious Memories Pima Cotton Layette and Shoo la roo Soft Sole Leather Baby Shoes.**

Name:

Email:

Comments:

EXHIBIT 2

UNITED STATES DISTRICT COURT

for the

Northern District of Texas

M3 Girl Designs, LLC

Plaintiff

v.

Purple Mountain Sweaters
and Carol-Ann Bishop

Defendant

Civil Action No.

3-09CV2334-G

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Ms. Carol-Ann Bishop
17716 Bridlewood Court
Parrish, FL 34219

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

D. Scott Hemingway
Hemingway & Hansen, LLP
Comerica Bank Tower, Suite 2500
1717 Main Street
Dallas, Texas 75201

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

DEC 08 2009

Rod Reynolds

Signature of Clerk or Deputy Clerk

Civil Action No.

PROOF OF SERVICE

8-09CV2334-G

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for (name of individual and title, if any) Ms. CAROL-ANN BISHOP
was received by me on (date) 12/16/09 @ 11:45AM.

☒ I personally served the summons on the individual at (place) 17716 BRIDLEWOOD COURT
PARRISH, FLORIDA 34219 on (date) 12/16/09 @ 5:53PM, or

☐ I left the summons at the individual's residence or usual place of abode with (name) _____,
a person of suitable age and discretion who resides there,
on (date) _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on (name of individual) _____,
designated by law to accept service of process on behalf of (name of organization) _____
on (date) _____; or

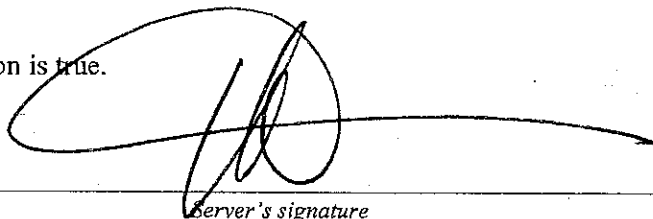
☐ I returned the summons unexecuted because _____; or

☐ Other (specify): _____

My fees are \$ — for travel and \$ 35 for services, for a total of \$ 35.00

I declare under penalty of perjury that this information is true.

Date: 12/16/2009


Server's signature

WARREN J. CUTTER CPS # 0287
Printed name and title

583 BAYSHORE DRIVE, ELLENTON, FLORIDA 34220
Server's address

Additional information regarding attempted service, etc:



*Affiant is personally
Known to me.
Joseph F. Winter*

EXHIBIT 3

UNITED STATES DISTRICT COURT

for the

Northern District of Texas

M3 Girl Designs, LLC

Plaintiff

v.

Purple Mountain Sweaters
and Carol-Ann Bishop

Defendant

Civil Action No.

3-09CV2334-G

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Purple Mountain Sweaters
17716 Bridlewood Court
Parrish, FL 34219

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

D. Scott Hemingway
Hemingway & Hansen, LLP
Comerica Bank Tower, Suite 2500
1717 Main Street
Dallas, Texas 75201

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

DEC 08 2009

Date: _____

CLERK OF COURT

Rod Reynolds

Signature of Clerk or Deputy Clerk

Civil Action No.

3-09CV2334-G

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for (name of individual and title, if any) PURPLE MOUNTAIN SWEATERS
was received by me on (date) 12/16/2009 2:11:45AM.

☒ I personally served the summons on the individual at (place) 17716 BRIDLEWOOD COURT
PARRISH, FLORIDA 34219 on (date) 12/16/09 2:53PM;

☐ I left the summons at the individual's residence or usual place of abode with (name) _____
_____, a person of suitable age and discretion who resides there,
on (date) _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on (name of individual) _____, who is
designated by law to accept service of process on behalf of (name of organization) _____
on (date) _____; or

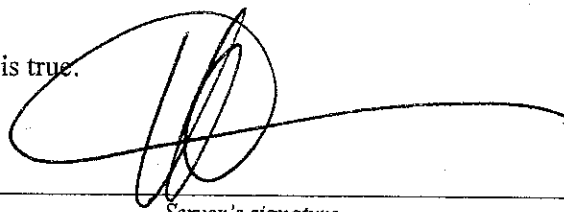
☐ I returned the summons unexecuted because _____; or

☐ Other (specify): _____

My fees are \$ — for travel and \$ 35 for services, for a total of \$ 35.00

I declare under penalty of perjury that this information is true.

Date: 12/16/2009



Server's signature

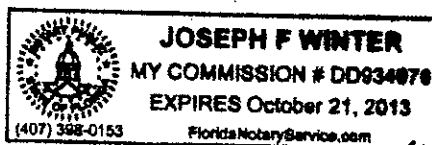
WARREN J. CUTTER CP# 0287

Printed name and title

583 BAYSHORE DRIVE, ELLENTON, FLORIDA 3422

Server's address

Additional information regarding attempted service, etc:



Affiant is personally
Known to me.
Joseph F. Winter

EXHIBIT 4

LAW OFFICES OF
CHARLES J. PRESCOTT, P.A.
A PROFESSIONAL ASSOCIATION



SUITE 115
2033 WOOD STREET
SARASOTA, FLORIDA 34237
(941) 957-4208
FAX (941) 957-4210
e-mail: cj.prescott@verizon.net
website: www.patentsprescott.com

PATENTS • TRADEMARKS
COPYRIGHTS & RELATED
MATTERS

October 14, 2009

D. Scott Hemingway, Esquire
Hemingway & Hansen
Comerica Bank Tower - Suite 2500
1717 Main Street
Dallas, TX 75201

Re: M3Girl Designs
Purple Mountain Ice Caps

Dear Mr. Hemingway:

Your letter dated October 6, 2009 issued to Purple Mountain Baby on behalf of your client, M3Girl Designs, has been referred to my office for review and response.

In your letter, you have asserted, on behalf of your client, certain vague intellectual property rights which you accuse Purple Mountain of infringing. I will attempt to address your assertions separately as specifically as possible based upon the content of your letter.

Trademark SNAP CAPS®

Although no copy of a registered trademark for SNAP CAPS was included in your correspondence, nonetheless our office was able to obtain a copy of that registration No. 3,626,432. This registration indicates a first use of the mark SNAP CAPS as early as July 15, 2008, a filing date of October 9, 2008 and a registration date of May 26, 2009. Our client apparently inadvertently applied the descriptive phrase "Snappy Bottle Cap Necklaces" to a sub portion of its product website. However, immediately upon receipt of your letter, our client unilaterally removed access to that website sub part and has now completely removed any reference or inclusion of the term "snappy" to any of its products and in any form whatsoever.

I therefore believe that this issue is fully resolved.

October 13, 2009

Page 2

Copyright Infringement

You have also alleged infringement of certain registered and unregistered copyright rights associated with you client's bottle cap jewelry designs. However, as you have failed to include any identifying materials associated with either the copyright registrations or pending applications of your client, and have specifically failed to identify specific products of our client which might allegedly constitute copyright infringement, I am unable to evaluate the authenticity of this claim. Should you wish to submit further specific registration and identification material and identify specific products of our client which might allegedly constitute copyright infringement, I will very promptly address such specific issues at that time.

However, as a general notion, because copyright only protects the embodiment of an idea, rather than an idea itself, upon my perusal of both of our respective clients' product lines, the presence of copyright infringing materials or artwork by one or more products being offered by our client does not immediately manifest itself based upon that brief comparison.

Patent and/or Design Infringement

Your letter also contains assertions of infringing design and patent pending rights of your client. However, no basis for that accusation has been included in your letter with any specificity. Specifically, no design or utility patents or pending applications owned by your client have been provided or referenced in your accusations.

Prior to receipt of your letter, our client had authorized a patentability search to be conducted by our office and directed to broad patentability of magnetized bottle caps. Although no patents or published applications of your client were located, only one U.S. Patent 6,857,755 issued to Lewis disclosing an illuminated magnetic clasp bottle cap with epoxy dome to be worn on clothing was located during that search. Moreover, several websites located in a separate common law portion of the search disclosing the sale and/or creation of bottle cap magnets and other decorative articles associated therewith were located. These common law prior art disclosures extend back to at least 2003 and clearly indicate broadly that decorative magnetized bottle caps in their various forms are old and well known in prior art and belong to the public domain.

However, if you would like to provide copies of patents and/or pending applications, whether published or unpublished, which might describe and claim decorative bottle cap jewelry of your client which could potentially be infringed now or in the future should one or more patents issue from such pending applications, I would be more than happy to review those applications and advise our client of any current or potential future issues of patent infringement should one or more of these applications materialize into an issued patent.

October 13, 2009

Page 3

Tortious Interference

I understand that your client, either directly or through one or more of its representatives or affiliates, is contacting potential and/or current customers and/or distributors of our client's products advising that our client's products are infringing the intellectual property rights of your client without providing sound basis for such accusations. As I have outlined above, unless specificity to these claims can be presented and substantiated, I am concerned that your client is therefore tortiously interfering with business relationships of our client without legal foundation or authority. I therefore request that your client carefully review and reconsider such potentially tortious acts until these accusations of intellectual property rights' infringement can be aired and resolved. Our client has every intention of honoring any and all valid intellectual property rights of others and has no intention of benefiting economically by usurping the valid rights of others. However, acts of disobedience of current tort law will not be tolerated.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles J. Prescott", with a long, sweeping horizontal line extending to the right.

Charles J. Prescott

CJP:dma

cc: Purple Mountain Sweaters